



# REGIONAL MUNICIPALITY OF WATERLOO ADMINISTRATION AND FINANCE COMMITTEE MINUTES

Tuesday, June 7, 2011  
11:00 a.m.  
Regional Council Chamber  
150 Frederick Street, Kitchener, Ontario

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Present were: Chair T. Galloway, L. Armstrong, T. Cowan, D. Craig, R. Deutschmann, J. Haalboom, R. Kelterborn, G. Lorentz, C. Millar\*, J. Mitchell, K. Seiling, S. Strickland\*, J. Wideman and C. Zehr

Members absent: J. Brewer and B. Halloran

## DECLARATIONS OF PECUNIARY INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT

None declared.

## MOTION TO RECONVENE INTO OPEN SESSION

MOVED by T. Cowan  
SECONDED by G. Lorentz

THAT the meeting reconvene into open session.

CARRIED

## DELEGATIONS

- a) Natalia Welniak, Office of the Independent Police Review Director (OIPRD) appeared before Committee regarding the public complaints process in Ontario. She provided background information on her organization, an overview of the complaint process and outreach and education program. A copy of her [presentation](#) is appended to the original minutes.

\*S. Strickland entered the meeting at 11:11 a.m.

Committee members had questions with respect to the process and authority of the OIPRD. N. Welniak advised the OIPRD has an oversight role and she reviewed the process for submitting complaints. She stated they are an arms length agency of the Ministry of the Attorney General. N. Welniak noted they receive approximately 70 complaints per week and have received 4,000 complaints since they were created 18 months ago. There was discussion about the Ontario Civilian Police Commission and their role is to complete appeals for disciplinary hearings. A question was raised what happens with complaints that are to be forwarded within three days in light of the current postal strike. N. Welniak responded she was not aware of what plans are in place but could report back.

Chair Galloway noted there is a high resolution rate of complaints at the local Regional Police level.

## REPORTS – Finance

### a) F-11-044, 2011 Property Tax Capping

Angela Hinchberger, Director, Financial Service, Treasury & Tax Policy provided a [presentation](#) on property tax capping, highlighting the background, prior year program, current status, options provided by the Province, options recommended for 2011, comparison of options, benefits of capping and next steps. She noted the proposal is to set the capping at the maximum allowed. A copy of the presentation is appended to the original minutes.

Questions were raised regarding the clawback percentages and capping costs. A. Hinchberger noted these are important figures to monitor and also advised reassessment can have an impact.

There was a concern raised about the impact of capping on businesses and A. Hinchberger advised no particular industry is unduly affected. Larry Ryan, Chief Financial Officer stated these are minor amendments to the program. Staff will take the issue of affects to specific capped properties to the Area Treasurers group and discuss how to provide communication to those property owners.

MOVED by C. Zehr  
SECONDED by K. Seiling

THAT the Regional Municipality of Waterloo approve the following for the 2011 Property Tax Capping Program:

- a. Establish the annual limit on tax increases for properties in the commercial, industrial and multi-residential classes at the greater of ten percent (10%) of the previous year's annualized capped taxes or 5% of the previous year's current value assessment (CVA) taxes;
- b. Establish thresholds for properties in the commercial, industrial and multi-residential classes such that if the taxes on the property calculated under the capping program are within \$250 of the current value assessment (CVA) taxes, the current value assessment taxes will apply;
- c. Continue with the "Stay at CVA" option and exclude properties in the commercial, industrial and multi-residential classes that were at their Current Value Assessment taxes in 2010 from the 2011 capping and claw back program;
- d. Implement one aspect of the "Cross CVA" option and exclude properties in the commercial, industrial and multi-residential classes that were subject to a claw back in 2010 from moving to capping in 2011;
- e. Fund the limits on tax increases for 2011 for the multi-residential, commercial and industrial classes by limiting tax decreases for properties in the same class.

AND THAT the Area Municipalities be notified accordingly.

CARRIED

\*C. Millar left the meeting at 11:45 a.m.

b) F-11-045, Periodic Financial Reporting: January – April 2011

It was noted the revenues for GRT have increased which indicates increased ridership.

Received for Information.

### **REPORTS – Corporate Resources**

c) CR-CLK-11-008, Update on Website Projects

Gary Sosnoski, Commissioner Corporate Resources advised the new website launched on June 3<sup>rd</sup>.

Kris Fletcher, Director, Council & Administrative Services/Regional Clerk demonstrated the new website for the Region and also the new websites for the Airport, Library, Public Health, Social Services and Grand River Transit.

Councillors congratulated staff on the new websites.

Received for Information.

### **OTHER BUSINESS**

a) Council Enquiries and Requests for Information Tracking List was received for information.

### **NEXT MEETING – June 21, 2011**

### **ADJOURN**

MOVED by L. Armstrong  
SECONDED by S. Strickland

THAT the meeting adjourn at 11:55 a.m.

CARRIED

**COMMITTEE CHAIR, *T. Galloway***

**COMMITTEE CLERK, *L. Wetzel***



# Region of Waterloo Council



# Agenda

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- **Definitions**
- **Background** (*Oversight and History*)
- **Overview of complaints process**
- **Outreach and Education Program**



Office

Independent

Police

Review

Director

*Civilian oversight agency*

- *Role is to make sure that that public complaints against police in Ontario are dealt with in a way that is transparent, accountable,*
- *effective and fair to both both the public and the police*



# Oversight

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- Ensuring the accountability of government bodies
- Providing decisions independent of the public, police and the government

**OIPRD** oversees public complaints about police conduct, policy and services from receipt to the end of the investigation.



# Police Officers

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Under the **Police Services Act** a police officer means:

- *a chief of police or any other police officer*  
(Ontario Provincial Police or Municipal Police)

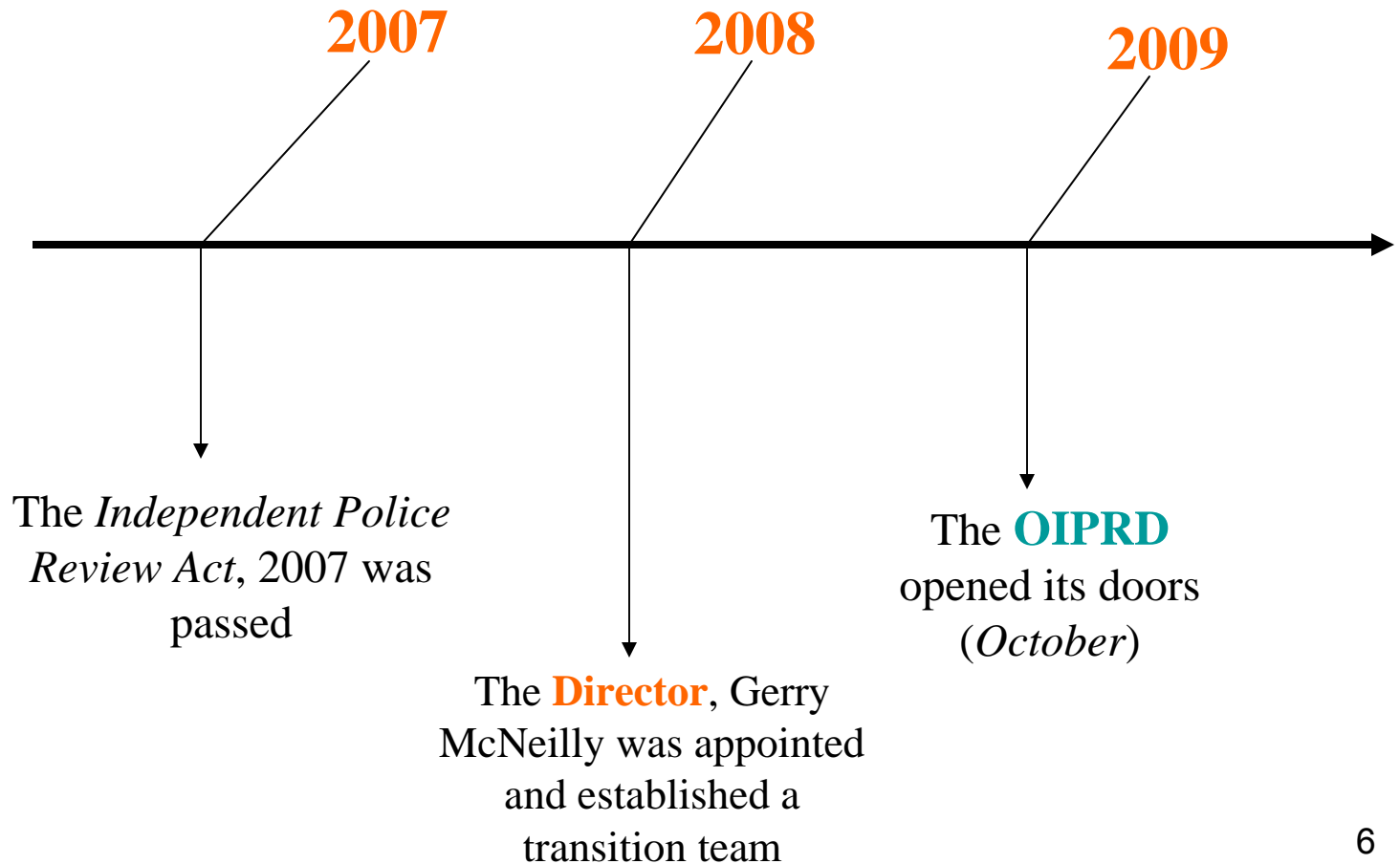
It does not include:

- *a special constable*
- *a First Nations constable*
- *a municipal law enforcement officer*
- *an auxiliary member of a police service*





# History





# OIPRD

- Arms length body within the Ministry of the the Attorney General
- Ministry of the Attorney General provides funding for the OIPRD
- Director is accountable for an annual report report to the Minister



# OIPRD

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**The Director is  
independent  
from the...**

**PUBLIC**

**GOV'T**

**POLICE**



# Filing a Complaint



# There are two ways to your complaint....

1

**Local  
Resolution**

2

**Filing a formal complaint with  
OIPRD**



# Local Resolution



## Local Resolution

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- **Local Resolution** (Local Complaints) matters may relate to:
  - The conduct of a police officer
  - The policies of a police department
  - The services of a police department



# Local Resolution

- Before accepting a complaint for local resolution, the police service must:
  - Advise the complainant that they may make their complaint to the **OIPRD**
  - They may be required to take their complaint to the **OIPRD** if it cannot be resolved locally
  - Provide the complainant with the information concerning concerning the **OIPRD**
- Local complaints must be *made in person*





# Filing a Complaint with the OIPRD



## Who can make a public complaint?

- A complaint may be dismissed if the complainant **is** **is not** one of the following:
  - *The person directly affected*
  - *A witness*
  - *Someone in a personal relationship with the person directly affected AND suffered loss, damage, distress, distress, danger or inconvenience*
  - *A person who has knowledge of the conduct, or has has possession of something that the Director feels is is compelling evidence establishing misconduct or unsatisfactory work performance*



## Getting the Complaint Form

- Complaints must be submitted on the OIPRD complaint form
- Forms are available:
  - On the **OIPRD** website
  - At the **OIPRD** office
  - At all municipal, regional and provincial police stations
  - At over 70 ServiceOntario locations throughout throughout Ontario, and
  - In many community centres and legal clinics



# Filing a Complaint

- You can file a complaint directly with the **OIPRD**:
  - At [www.oiprd.on.ca](http://www.oiprd.on.ca)
  - By fax
  - By mail, or
  - In person at the Office of the Independent Police Review Director
- You can also file a complaint at any municipal, regional or provincial police service in Ontario
- The police will then forward the complaint form to the **OIPRD** within **three business days**



# E-Filing a Complaint

The complaint form online is the same as the paper version

**FILE A COMPLAINT**

For members of the public who wish to learn about the complaint process, all the information you need about making a complaint against the police, including online complaint forms.

**START HERE**



# Complaint Process

- Complaints must be filed within **six months** of the incident the the complaint is about
- The Director has the discretion to deal with complaints beyond beyond the current deadline of **six months** but must consider:
  - Is the complainant a minor or under a disability?
  - Was the complainant charged criminally in relation to the the complaint?

***AND***

- Is it in the public interest to deal with the complaint?





# Screening Complaints

- Complaint is screened against sections of the Police Services Act (PSA)
- Section 58:
  - Sets out who **may not** complain
  - Complainant is screened to ensure s/he is not excluded
- Section 60:
  - Outlines the conditions for not accepting a complaint
  - A complaint may be denied if it is:
    - Filed more than six months after the incident
    - Frivolous, vexatious or made in bad faith
    - Would be more appropriately dealt with under another act or law
    - Is not in the public interest







# Classification of Complaints

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Policy

Service

Conduct



# Investigations



# Investigation Timelines

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- Generally, a complaint takes about **120** **120 days** to investigate a complaint after it has been retained
- More complex cases will often take longer



# Results of an Investigation

- After the investigation of a **conduct** complaint it will be determined if the complaint is:
  - substantiated/unsubstantiated
  - **if substantiated** – serious or less serious
- Where the **OIPRD** has investigated the Director will make the determination
- Where a police service has investigated the Chief of of the service in question will make the determination



# Police Services Boards and the Complaints Process



# Public Complaints Sent to Boards

- All complaints sent to a board directly, must be forwarded to the OIPRD within **three business days**
- Complaints must be submitted on the OIPRD complaint form
- The board should not take any other steps to address address the complaint



# OIPRD Website and Printed Materials





# Outreach and Education Program

Province is divided into seven regions:

*Central east*

*Central west*

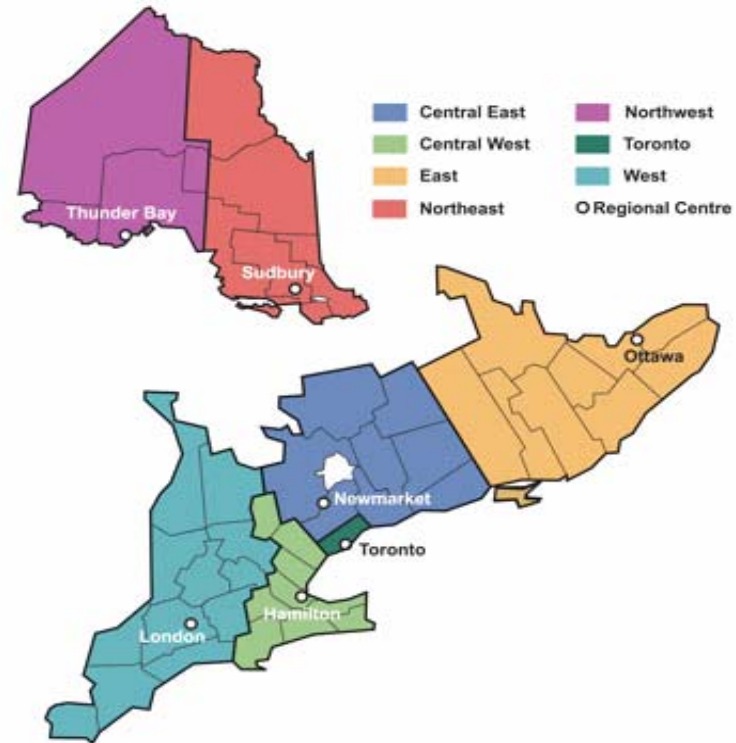
*East*

*Northeast*

*Northwest*

*Toronto*

*West*







## Director's Resource Committee

- We have established a DRC for every region in Ontario
- DRCs will meet 2-3 times a year
- The Director will attend at least one meeting a year
- Members will include community and police



**THANK YOU**

# THE REGIONAL MUNICIPALITY OF WATERLOO

## 2011 Property Tax Capping



June 7, 2011

990298

1

### 2011 Property Tax Capping - Background

- Legislation requires municipalities to limit tax increases for Commercial, Industrial, and MR properties
- Budget increases are additional provided municipality is at or below the threshold ratios
- Capping options must be approved annually or Default 5% program applies
- No timing deadline but early approval assists Area Municipalities with final tax billing

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## 2011 Property Tax Capping - Background

- Additional options provided in 2009 ("Stay at CVA" and "Cross CVA" options)
- Response by Province to municipalities' requests to improve or eliminate capping
- Provides flexibility and eliminates unfairness
- Do not need 2 mitigating strategies (Assessment Phase-in & Capping)
- Properties exiting capping program assisted by phase-in

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## 2011 Property Tax Capping Prior Year Program (2010)

- Annual cap set at 10% of previous years capped taxes
- Capped or claw back properties pay full CVA taxes if within \$250
- Capping costs funded by limiting decreases in same class
- "Stay at CVA" option (new for 2010)
- Same program for all 3 capped classes

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## 2011 Property Tax Capping Options Recommended for 2011

- Same Program as 2010 plus .....
- Establish "cap" based on greater of 10% of prior year capped taxes or 5% of CVA taxes (2005 option)
- Outlier properties move towards CVA taxes at faster rate
- Implement "Cross CVA" option to exclude properties moving from claw back in 2010 to capped in 2011
- Properties capped in 2010 would be allowed to move to claw back in 2011
- Reduces capped capping costs and capped properties

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### 2011 Tax Policy – Property Tax Capping Comparison of Options

	Default 5%	= 2010 Program	2010 Prgm + 5% CVA tax	2010 Prgm + 5% CVA tax + ½ Cross CVA
% Capped Taxes	5%	10%	10% Capped or 5% CVA	10% Capped or 5 % CVA
Thresholds	n/a	\$250	\$250	\$250
New Options	No	Stay at CVA	Stay at CVA	Stay & ½ Cross
<b>Capping Costs *</b>	<b>\$2.66 m</b>	<b>\$1.83 m</b>	<b>\$1.82 m</b>	<b>\$1.76 m</b>
<b>Capped Prop. *</b>	<b>1,070</b>	<b>424</b>	<b>424</b>	<b>420</b>
<b>Claw Back Prop.*</b>	<b>4,097</b>	<b>1,089</b>	<b>1,089</b>	<b>1,084</b>
Properties At CVA	3,074	6,728	6,728	6,737
Total Properties	8,241	8,241	8,241	8,241
<b>% Impacted *</b>	<b>62.7%</b>	<b>18.4%</b>	<b>18.4%</b>	<b>18.3%</b>
Capping Shortfall	\$0	\$0	\$0	\$0

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## **2011 Property Tax Capping Recommendation**

- Limit on increases at greater of 10% of capped taxes and 5% of CVA taxes
- \$250 thresholds
- Stay at CVA option
- Partial Cross CVA option – exclude claw back properties from moving to capped status
- Costs funded by limiting decreases
- Same program for all classes
- Supported by Area Treasurers

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## **2011 Property Tax Capping Benefits**

- Cap is at maximum allowed
- Fewest capped properties and lowest capping costs
- Essentially greatest number of properties at CVA taxes; lowest number of properties impacted
- Properties at CVA taxes exit program; claw back properties can not move to capped status
- Costs funded by limiting decreases in same class
- No capping shortfalls
- No budget impacts; no impact on res. class
- Simplicity - same program for all classes

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## **2011 Property Tax Capping Next Steps**

- By-law to establish 2011 program to Council June 15
- By-law to set claw back %'s to Council June 29
- Area Municipalities in position to issue final bills for capped classes early July

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## **2011 Property Tax Capping**

- Questions / Discussion

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